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Via ECF

Honorable Sarah Netburn
United States Magistrate Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Lucille Tirado, Admin. v. The City of New York, et al.*, 19-CV-10377

Dear Judge Netburn:

We represent Lucille Tirado, as the administratrix of the estate of Eugene Castelle, in this civil rights case under 42 U.S.C. § 1983, regarding Castelle's death at Riker's Island. We write to clarify the record. Following one of the numerous meet and confers with defense counsel, I realized that I may have given the wrong impression as to what security footage was and was not produced in the prior litigation. Defense counsel was concerned about a blog post by an independent journalist regarding the missing footage, which made me realize that I may have misspoken. I called to explain it to him, and in that call he requested a clarification for the record.

I agreed: People housed in the dorm discovered Mr. Castelle was non-responsive at 8:20 a.m. For three of the available camera angles, the footage stops at or about 8:20 a.m. One camera angle has the footage removed starting at around 8:20 a.m., but then it skips to about an hour later. Two angles, which are nearly identical, do show the medical staff coming to attempt to resuscitate Mr. Castelle, but several people obscuring Mr. Castelle, and we cannot see his face in several places or account for the reason that later photographs show a substantial amount of blood, which is not visible on this footage. We also cannot see what the officers are doing near the "bubble" area where Defendant Dacruz is stationed. This footage is still missing, and defense counsel is working to produce it.

Respectfully,

/s/

Rob Rickner